

R E M A R K S

The outstanding Office Action of March 16, 2005 rejects claims 1 through 21 under 35 U.S.C. 102(b). In addition, claims 1 through 21 are rejected under 35 U.S.C. 112. The claims as amended have been listed in ascending numerical order, each with the proper status identifier. The application has been amended in response to the Examiner's comments and is now believed to be in condition for allowance.

Specifically, newly submitted independent claim 22, claims 1, 2, 3, 4 and 5 combined in rewritten form, defines a rail positioning device for use with a retractable bumper assembly that includes an elongated rail movable between a retracted position and an elevated position supported by a plurality of rail support members to prevent bowling balls from entering a bowling lane gutter adjacent the retractable bump assembly when the elongated rail is in the elevated position. The rail positioning device comprises a rail positioning assembly disposed in operational relationship relative to a rail positioning actuator each movable between a retracted position and an extended position such that when the rail positioning assembly is moved from the retracted to the extended position by the rail positioning actuator moving from the retracted position to the extended position the rail positioning assembly engages the elongated rail to move the elongated rail from the retracted position to the elevated position to prevent a bowling balls from entering the adjacent gutter. The rail positioning assembly

comprises a rail positioning member longitudinally movable between a retracted position and an extended position and a rail positioning element including a substantially flat side surface rotatably movable between a retracted position and an extended position disposed to engage the elongated rail. The rail positioning actuator comprises an actuator element longitudinally movable between a retracted and an extended position to move the rail positioning member from the retractable and the extended position to move the rail positioning element from the retracted position and the extended position as the actuator element moves from the retracted position to the extended position to move the elongated rail from the retracted position to the elevated position. The rail positioning member includes an arcuate camming surface disposed to initially engage the substantially flat side surface of the rail positioning element to selectively rotate the rail positioning member from the retracted position to the extended position and an inclined surface disposed to engage the substantially flat side surface of the rail positioning element when the rail positioning member and the rail positioning element are each in the extended position to maintain the elongated rail in the elevated position.

As discussed more fully herein, none of the references either teach or suggest the structure claimed in newly submitted independent claim 22. Accordingly, newly submitted independent claim 22 is believed allowable and such is respectfully requested.

Moreover, dependent claims 6, 7, 10 and 11 depend either directly or indirectly from newly submitted independent claim 22. While each contains additional structural elements, these dependent claims contain all the structural elements of newly submitted independent claim 22 and therefore are also believed in condition for allowance.

Newly submitted independent claim 23 is directed to a retractable bumper assembly that includes an elongated rail movable between a retracted position and an elevated position supported by a plurality of rail support members to prevent bowling balls from entering a bowling lane gutter adjacent the retractable bump assembly when the elongated rail is in the elevated position. The rail positioning device comprises a rail positioning assembly and a rail positioning actuator similarly structured as defined in independent claim 22.

As discussed more fully herein, none of the references either teach or suggest the structure claimed in newly submitted independent claim 23. Accordingly, newly submitted independent claim 23 is believed allowable and such is respectfully requested.

Higashi, U.S. 5,681,224 shows an automatic bumper system for bowling including a rotatable bumper bar connected to a hydraulic cylinder by a drive arc to selectively rotate the bumper bar.

Dagenais, U.S. 6,270,136 teaches a tong for a well pipe including one or more linearly-acting hydraulic cylinders which linearly advance a triangular wedge in order to drive a pipe gripping jaw inwardly into engagement with pipe. A


thrust-receiving jaw that is not hydraulically actuated can be adjusted in its fixed position. Springs within the actuated jaw bias it to recoil spontaneously from the pipe upon the retraction of the wedge.

Neither reference teaches or suggested a camming rotatable rail positioning member.

In view of the amendments contained herein and the discussion in support thereof, allowance of this application is respectfully requested.

Notwithstanding, in the event that this response does not completely and fully address the matters and issues set forth in the outstanding Office Action, Examiner Pierce is invited to contact Applicant's attorney by telephone in order to expeditiously conclude this prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Arthur W. Fisher, III', written over a horizontal line.

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